

REMARKS/ARGUMENTS

Claims 76-80 and 101-119 are pending. By this Amendment, claims 76, 103-106, 108, 112, 114 and 118 are amended, claims 59-75 and 81-100 are canceled, and new claim 119 is added. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, Applicants respectfully request an interview be granted to discuss the present amendment before the next office action is issued.

With respect to the Restriction Requirement, Applicants note that the Examiner has failed to respond to Applicants' traversal in the last paragraph of page 12 of the response filed on July 25, 2005. Nonetheless, in order to expedite allowance, claims 59-75 and 81-100 have been canceled.

With respect to independent claim 106, Applicants respectfully submit that claim 106 is a proper linking claim since it is directed to a claim for practicing the process of claim 76. MPEP 806.05(e) does not require that a linking claim be dependent on the method claim. Rather, claim 106 is directed toward "means" for performing each of the method steps recited in claim 76. Thus, claim 106 is a proper linking claim and must be examined along with independent claim 76.

Further, claim 108 now depends from claim 76 such that examination is warranted.

Claims 76-78 and 80 were rejected under 35 U.S.C. §103(a) over WO 91/01884 in view of Ream et al. (U.S. Patent No. 6,267,997). This rejection is respectfully traversed.

Claim 76 is directed to a method for printing a multicolor composite image formed from at least two component ink-laden images on a plurality of shaped pharmaceutical pieces, each having at least one non-planar surface. The method includes printing a first component ink-

laden image on said at least one non-planar surface of the shaped pharmaceutical pieces at a first position, and printing a subsequent second component ink-laden image on said at least one non-planar surface of said shaped pharmaceutical pieces at a second position.

WO 91/01884 does not teach or suggest this subject matter. In particular, the WO '884 is directed to a two-step branding apparatus in which a printer 35 prints a solid rectangular block which is then subsequently subjected to a laser printing step, whereby portions of the ink coating just applied by the printer 35 are removed to define a desired symbol and/or alphabetic and/or numeric characters. Therefore, WO '884 does not teach or suggest printing first and second component ink-laden images on the shaped pharmaceutical pieces at first and second print positions, respectively. WO '884 only teaches the use of a first ink-laden component which is applied by printer 35. The laser 41 does not print a subsequent second component ink-laden image on the pharmaceutical.

In the Office Action, Ream et al. is relied upon as teaching printing on bubblegum a composite image formed with first and second components of colored ink in proper registration by first and second printers 32. According to the Office Action, it would have been obvious to provide the printing method of WO '884 with a second color ink printing device. However, Applicants respectfully submit that the teachings of Ream et al. do not lend themselves to combination with WO '884. For example, one of ordinary skill in the art simply would not have replaced the laser marking unit 41 of WO '884 with an ink-laden printing device, as taught by Ream et al. The circumferential distance between printer station 35 and the laser marking unit 41 would likely create a poor printed product since the printing station 35 and the laser marking station 41 are immediately adjacent to one another. The use of two serially registered ink-laden printing units on the drum of WO '884 simply does not allow enough drying time between the

first print unit and the second print unit such that the second print unit can apply its respective ink-laden component of the overall image in a clear and smudge-free manner.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 101 and 102 were rejected under 35 U.S.C. §103 over WO '884 in view of Ream et al., and further in view of Matsuoka (U.S. Patent No. 4,619,196). This rejection is respectfully traversed since claims 101 and 102 depend from claim 76, which is allowable for the reasons described above.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 107 was rejected under 35 U.S.C. §103(a) over WO '884 in view of Ream et al., and further in view of Ackley (U.S. Patent No. 4,905,589). This rejection is respectfully traversed since claim 107 depends from claim 76, which is patentable for the reasons described above.

Claims 114, 115, and 117 were rejected under 35 U.S.C. §103(a) over WO '884 in view of Ream et al., and further in view of Yamamoto et al. (U.S. Patent No. 5,423,252). This rejection is respectfully traversed since these claims depend from claim 76, which is allowable for the reasons described above. Reconsideration and withdrawal of the rejection are respectfully requested.

Applicants appreciate the indication that claims 79, 103-105, 116 and 118 would be allowable if written into independent form. By this Amendment, claims 104, 105 and 118 have been so rewritten.


In view of the above amendments and remarks, Applicants respectfully submit that all the claims are patentable and that the entire application is in condition for allowance.

ACKLEY, JR. et al.
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Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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